APPLICATION REFERENCE NUMBER: MC2006/0093

SUMMARY AND APPRAISAL OF REPRESENTATIONS

Consultations were undertaken with Cuxton Parish Council and a total of 189 adjoining households and 33 adjoining businesses in Norman Close, Saxon Place, Cuxton Road, Roman Way and Chariot Way.

The following statutory bodies and interested parties were also consulted.

Highways Agency, English Nature, KCC Heritage Conservation, Environment Agency, Kent Wildlife Trust, CTRL.

One response has been received from an adjoining occupier on the grounds that the site is unsuitable for development and will result in loss of wildlife habitat.

Kent Police expressed concern about the number of rear access alleyways and unsupervised parking courtyard areas.

No objections have been received from other consultees.

Site Notice: No response received;

Advert – No response received;

PLANNING HISTORY

MC/2003/2616 – Formation of new ponds at south-west of site to relocate Great Crested Newts -

MC/2004/0058 – Engineering operations for regarding and re-levelling of site to form development platform -

MC/2004/0063 – Outline application for mixed use development comprising residential, business, community facilities and open space -

MC2005/2319 – Application to vary conditions attached to MC2004/0063 to allow phased development -

PLANNING CONSIDERATIONS

Plans

This decision related to the development as shown on drawing number(s) 1935-GMP-01 Received on 19/12/2005 and drawing number(s) A3760/2.1/01; 02 Rev B; 03 Rev A; 05 Rev B; 05A Rev F; 06 Rev A; 07 Rev A; 11 Rev A; 12 Rev A; 13 Rev A; 22 Rev A; 23 Rev A; 25 Rev A; 26 Rev A; 27 Rev A; 28 Rev A; 29 Rev A; 30 Rev B; 31 Rev B; 32 Rev B; 33 Rev B; 34 Rev A; 35 Rev A; 36 Rev A; 37 Rev A; 38 Rev A; 39 Rev A; 41 Rev B;

42 Rev B; 43 Rev A; 44 Rev A; 45 Rev A; 46; and 47 received on 24/01/2006 and additional document(s) being form 1, design statement, planning statement, soft landscaping & play areas design strategy received 19/12/2005 and agents letter received on 24/01/2006

Site Description

The site comprises the northern portion of the former Cuxton Pit no.3 and extends to about 30% of the application site area for MC 2004/0063. It is in the process of being regarded in accordance with site levels approved by MC2004/0058, which includes re-profiling of part of the currently vertical chalk cliff face forming the boundary with the A228, Cuxton Road to facilitate provision of the main site access road from the existing roundabout junction between the A228 and Roman Way.

When current engineering work is completed the site will be generally level in the centre, but contained on its northern and south-east boundaries by the former quarry edges which increase in height in a westward direction.

The main development platform continues to the west of the site to the support the subsequent phases II and III of the development.

The prominent wooded slope which obscures views into the quarry from Cuxton Road travelling south will be retained, as this area of land is outside the site boundary.

At its north-eastern extremity, the new site level would be broadly similar to that of the first few existing houses in Sycamore Road. Beyond that, however, the level on which the existing houses are built, rises in comparison to the 'development platform' and in addition, after about the 20th house, third party land intervenes so that there is no longer a common boundary between existing and proposed development.

Proposal

The proposal is to develop this area as a Phase I development to provide a total of 147 units of residential accommodation comprising 110 for private market (9 Apartments and 101 Houses) and 37 (25%) for affordable housing (20 Apartments and 17 Houses). There is a well balanced mix of accommodation with some 62 units being 3 bedroomed houses and 34 being 4 bedroomed houses. The affordable housing mix has been arrived at following discussions with the Council's Housing Strategy Team.

The application is fully detailed and the submissions received to support it are set out in full, below. To put it in context, the applicants have also submitted a detailed series of Masterplan drawings for the whole site, comprising:

- Overall development layout
- Public open spaces and play areas
- Landscape strategy plan

- Report on soft landscape and play areas strategy
- Design strategy
- Planning statement

These documents apply to the whole site.
In addition the detailed submissions for the Phase I scheme comprise:

- Site layout
- Storey heights masterplan
- External works (surfacing) plans
- Materials strategy
- Detailed house type drawings and drawings of ancillaries
- Social elevations

As previously stated the Phase I development proposes 147 dwellings, together with the construction of the main site access road, open space within the residential area totalling 1.39ha and the landscaping of the realigned and regarded banks of the former quarry.

The phase is developed as a conventional housing scheme with frontage roads, a spine road from a single point of access from the main access toad and parking predominantly in open groups at 90 degrees to the roads or in a number of car courts, the largest of which is accessed by undercroft beneath flats.

The layout has similarities with that recently approved at Grange Farm – the same developer and design team being involved. Phases II and III will follow broadly similar principles, save that the proportion of apartments and the number of buildings of 3 and 4 storeys increases with distance from the existing development.

The main open space area is in the north-western part of the site, closest to existing housing and also abutting a large retained area of exposed chalk faces, which forms part of the area safeguarded for Nature Conservation by the provisions of the S106 Agreement attached to MC2004/0063.

Site Area/Density

Site area: 2.5 hectares (net)

Site density 59 dwellings/hectare (net)

Planning Policies and Guidance

The Development Plan comprises

Regional Planning Policy Guidance Note 9 (RPG 9)

Kent Structure Plan 1996

Policy S1 – Sustainable development

Policy S2 – Quality of environment
Policy S9 – Infrastructure
Policy ENV1 – The countryside
Policy ENV15 – Built environment
Policy RS 1 – Settlements outside the urban boundary
Policy RS 5 – Development in rural areas
Policy T18 – Traffic generation

Medway Local Plan 2003

Policy S 1 – Development Strategy
Policy S 2 – Strategic Principles
Policy S 6 – Planning obligations
Policy BNE1 – General principles
Policy BNE 2 – Amenity protection
Policy BNE 25 – Development in the countryside
Policy BNE 36 – Nature Conservation sites
Policy BNE 37 – Wildlife habitats
Policy BNE 39 – Protected species
Policy H 1 – New residential development
Policy H3 – Affordable housing
Policy T1 – Impact of development
Policy T2 – Access to highway
Policy T13 – Vehicle parking standards

Kent and Medway Structure Plan (|Deposit Draft) 2003

Policy SP 1 – Sustainable development
Policy SS3 – Sustainable location of development
Policy SS5 – Enhancing existing communities
Policy QL1 – Quality of development
Policy QL13 – Provision of new community infrastructure
Policy HP 1 – Housing provision and distribution
Policy HP 7 – Range and mix of housing
Policy HP 8 – Affordable housing
Policy TP 2 – Transport and location of development
Policy TP19 – Parking standards

Planning Appraisal

The principle of residential and associated development at this site has been established by the outline planning consent granted by MC 2004/0063. The overall Master Plan documents submitted as context material for this application set out more detailed parameters setting out the general form, layout, scale and character of the proposed development.

Cuxton Pit is not a central urban location, so the style of development proposed is not a high density urban solution; it is a more conventional housing layout at the higher end of the PPG3 density range, making efficient use of land.

In phase I, family housing predominates, in character with the adjoining existing housing. The form of development ranges from 2, 2.5 and 3 storey houses to a group of 3 and 4 storey apartments at the western extremity, well separated from the existing development.

This produces a layout that is varied, with an interesting juxtaposition of forms, styles and heights. The accompanying sections indicate that the relationship with existing housing is not intrusive, where the new development adjoins at the same ground level, the intervening distance is a minimum of 25 metres for "face to face" relationships and a minimum of 15 metres for an 'end on' relationship. The apartment group is a minimum of 65 metres away from existing housing and as the submitted section shows is set about 7 metres lower.

The submitted drawings also show a wide variety of materials are specified, increasing the visual diversity and interest within the development.
There is also an element of variety in the proposed 'floorscape'. Whilst access roads and parking courts are mainly tarmacadam surfaced, these are broken up with road 'tables' of colour block paving and delineation of parking spaces in a contrasting colour. Footways are generally in natural colour pre-cast concrete slabs.

The layout shows a pattern of development characterised by closely-built and intimate streets with housing grouped to provide an interesting street scene and to maximise available, private garden space. With this form of layout, the provision of rear access ways and parking courts reached via undercroft access is inevitable if a closely-built up street frontage is to be achieved - although the concern of Kent Police is noted in this context.

The streets are essentially part of a pedestrian 'realm' in that vehicle movement is designed to be relatively slow and controlled by a variety of means, speed tables, width restriction, changes of materials and restricted ability for through travel. Since the development is effectively at the end of a cul-de-sac, little or no unnecessary traffic would penetrate the area.

There is a footpath connection proposed to the public open space and playground area at the east end of Sycamore Road, this would also enable existing residents to gain access to the new open space proposed within the site and help to integrate the new development with its setting.

In terms of the issue raised concerning nature conservancy. Cuxton Pit is of considerable interest for Nature Conservation. This was recognised at an early stage and the 2003 application was for the creation of new ponds in the south-west corner of the site to provide enhanced habitat for Great Crested Newts, whose presence on the site had been recorded. These are in place.

At the outline application stage, a large area of the site was identified to remain undeveloped so that existing habitat would not be disturbed. This included chalk faces and areas of woodland, in addition to the lower lying marshy ground around the new "newt ponds". In addition, the applicants

agreed to make contributions towards provision of enhanced habitat off-site at Ranscombe Wood and Motney Fields. This is safeguarded in a Section 106 Agreement completed pursuant to MC2004/0063 and the developer is also required to secure off and set up a management regime for the retained land within the site that is sympathetic to nature conservation interests. This is in addition to providing the normal open space for the development. The Section 106 arrangements "bite" at various trigger points during the development; one contribution has already been made and Greenspace Services are implementing the provisions in association with Kent Wildlife Trust.

The development would also contribute to local infrastructure provision by virtue of the S.106 Agreement concluded in respect of the outline planning permission MC2004/0063. Advice of the legal department has been sought as to whether any variation of the existing legal agreement is required. However they have confirmed that they are satisfied that the legal agreement completed pursuant to the outline consent (MC2004/0063) is equally enforceable in relation to this development as the description of the development ties back to the outline consent.

The Agreement provides for; provision of 25% affordable housing, open space, land for Nature Conservation purposes, provision of public transport and contributions to ensure adequate school places.

Affordable housing is distributed around the site, rather than concentrated.

Conditions attached to MC 2004/0063 also ensure that in subsequent phases, the development provides for an area for small business units, a shop and health care facility.

In conclusion, this is the first Phase of a three stage development which will provide some 450 new dwellings on a 'windfall' site, together with other elements which would make this a mixed-use development of land which was formerly allocated for the disposal of CTRL waste. It is recommended that the development be approved.

DECISION – Recommendation – Approve

1) M001 – time limit (RN1)
2) M006- Materials (RN5)
3) M018 – Underground Ducts (RN 29)
4) M020 – Retained trees (RN9)
5) M022 - Landscape scheme soft landscaping works only, schedules of plants and plant sizes only (RN9)
6) M023 – Landscape implementation (RN9)Conditions

M999 – this decision relates to the submitted proposals as set out in the following plans and drawings;

2.1/01, 2.1/02RevB, 2.1/03RevB, 2.1/05RevB and Schedule of Accommodation, 2.1/06RevA, 2.1/07RevA, 2.1/11RevA, 2.1/12RevA,

2.1/13RevA, 2.0.22RevA, 2.0/23RevA, 2.1/25RevA, 2.1/26RevA, 2.1/27RevA, 2.1/28RevA, 2.1/29RevA, 2.1/30RevB, 2.1/31RevB, 2.1/32RevB, 2.1/33RevB, 2.1/34RevA, 2.1/35RevA, 2.1/36RevA, 2.1/37RevA, 2.1/38RevA, 2.1/39RevA, 2.1/41RevB, 2.1/42RevB, 2.1/43RevA, 2.1/44RevA, 2.1/45RevA, 2.1/46, 2.1/47 and A3760/2.4/47 (list of drawings)

Informatives

1. The proposals the subject of this planning application have been considered under the provisions of the Kent Structure Plan 1996 (Structure Plan) and the Medway Local Plan 2003 (the Local Plan), most particularly Policies S1, S2, S9, ENV1, ENV15, RS 1, RS 5 and T18 of the Structure Plan and Policies S1, S2, S6, BNE1 , BNE 2 , BNE 25, BNE 36, BNE 37, BNE 39, H 1, H3, T1, T2, T13 of the Local Plan, and having regard to the proximity to neighbouring properties and the siting, design and appearance of the proposed new development, the submitted application is considered to be in accordance with the above mentioned Development Plan Policies.

2. The development of this site is also subject to and pursuant to the conditions and Section 106 Agreement related to outline planning permission MC/2004/0063 (mixed-use development). The conditions and Section 106 Agreement related to planning permission MC 2004/0058 (Engineering operations for regrading of land levels within the former chalk quarry) also apply.

3. For the avoidance of doubt, this decision related to the development as shown on drawing number(s) 1935-GMP-01 Received on 19/12/2005 and drawing number(s) A3760/2.1/01; 02 Rev B; 03 Rev A; 05 Rev B; 05A Rev F; 06 Rev A; 07 Rev A; 11 Rev A; 12 Rev A; 13 Rev A; 22 Rev A; 23 Rev A; 25 Rev A; 26 Rev A; 27 Rev A; 28 Rev A; 29 Rev A; 30 Rev B; 31 Rev B; 32 Rev B; 33 Rev B; 34 Rev A; 35 Rev A; 36 Rev A; 37 Rev A; 38 Rev A; 39 Rev A; 41 Rev B; 42 Rev B; 43 Rev A; 44 Rev A; 45 Rev A; 46; and 47 received on 24/01/2006 and additional document(s) being form 1, design statement, planning statement, soft landscaping & play areas design strategy received 19/12/2005 and agents letter received on 24/01/2006.

P.P.O -4/05/2006

-4/5/06